



**STATE OF TENNESSEE  
DEPARTMENT OF COMMERCE AND INSURANCE  
TENNESSEE REAL ESTATE COMMISSION**

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**COMMISSION POLICY STATEMENT**

**NUMBER: 2000-CPS-004**

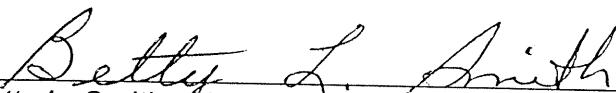
**DATE: APRIL 5, 2000; REVISED JUNE 7, 2001**


**INTERNET ADVERTISING**

1. Commission Rule 1260-2-.12 applies to all advertising "regardless of its nature and the medium in which it appears." This includes the Internet.
2. *Tennessee Code Annotated §62-13-312* makes certain acts unlawful. Among those acts are misrepresentations and misleading or untruthful advertising. This includes the Internet.
3. Under Commission Rule 1260-2-.12, all advertising "must be under the direct supervision of the principal broker". Principal Brokers are responsible for the advertising for all persons licensed with their firm. This applies to all forms of advertising, including the Internet.
4. If an individual and/or firm advertises on the Internet in such a manner as to lead the consumer to believe they are operating in this state, or a portion of this state, when they actually have no presence in either area, that advertising would constitute a violation of *Tennessee Code Annotated §62-13-312*, and/or Commission Rule 1260-2-.12.
5. Advertising requirements applied to websites containing MLS listings:
  - A. Where a website is able to access MLS listings, other than via a link to a new website, which listings may or may not belong to the owner of the website, the following requirements must be met in order to satisfy Commission Rule 1260-2-.12(2)(d):
    - 1) As with all advertising, the owner of the website's firm name and telephone number must appear on each page of the website, including pages referenced in paragraph three below;

- 2) For web pages displaying "thumbnails" of multiple listings, a disclaimer must be displayed indicating that some or all of these listings may not belong to the firm whose website is being visited. A "thumbnail" shall refer to a summary of a listing containing no more than five selection criteria describing the property. If any information regarding the listing agent is given in the "thumbnail," however, the listing firm's name and telephone number must also be displayed.
- 3) For web pages displaying a detailed listing containing greater than five selection criteria describing the property, the listing firm's name and telephone number must be displayed and clearly identified as such.

ADOPTED BY THE COMMISSION ON JUNE 7, 2001.

  
Betty L. Smith, Chairman

  
Bruce E. Lynn, Executive Director

